

Jan-09-04

01:46pm

From-LUCE FORWARD HAMILTON SCRIPPS LLP

858 720 6306

T-273

P.004/008

F-619

#25  
1/14/04  
Witcher

Atty. Docket No.: 30287-30

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Roberto AJELLO et al.

Serial No.: 09/393,126

Filed: September 10, 1999

For: BASEBAND WIRELESS  
NETWORK FOR  
ISOCRONOUS  
COMMUNICATION

Confirmation No. 2279

Art Unit: 2666

Examiner: Abelson, R.

San Diego, California  
October 15, 2003Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Dear Sir or Madam:

In accordance with 37 C.F.R. § 1.56, Applicants make the below-listed documents of record in the above-identified application. In accordance with 37 C.F.R. § 1.97, this statement is not to be construed as a representation that a search has been made, and is not a representation that the information cited is effective as prior art to the application or is material to patentability.

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence, and any referred to as enclosed herewith, is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Date: October 15, 2003

By: Gregory P. Austin

Gregory P. Austin

U.S. Patent Documents

1. U.S. Patent No. 6,133,876 A to Larry W. Fullerton, et al., issued October 17, 2000;
2. U.S. Patent No. 6,232,910 B1 to David Allen Bell, et al., issued May 15, 2001.

\* \* \*

Copies of the above-listed documents, which are listed on the accompanying Form PTO/SB/08A, are enclosed.

In accordance with 37 C.F.R. § 1.97(c), this Supplemental Information Disclosure statement shall be fully considered by the U.S. Patent & Trademark Office since Applicants filed after the period specified in 37 C.F.R. § 1.97(b), but before the mailing date of any final action, notice of allowance or an action that otherwise closes prosecution in the application, and is accompanied by the requisite fee as set forth in 37 C.F.R. § 1.17(p) in the amount of \$180.00 (enclosed Check No. 146282).


It is respectfully requested that these documents be (1) fully considered by the U.S. Patent and Trademark Office in the examination of the above-identified application; and (2) printed on any patent which may issue on this application. It is also respectfully requested that a copy of Form PTO/SB/08A, as considered and initialed by the Examiner, be returned to the undersigned with the next communication in accordance with M.P.E.P. § 609.

It is believed that no other fee is required in connection with this submission. In the event that an additional fee is required, please charge our Deposit Account No. 50-2298, in the name of Luce, Forward, Hamilton & Scripps LLP.

Respectfully submitted,

Date

10/15/03

  
Peter R. Martinez

Attorney for Applicant(s)

Reg. No. 42,845

c/o LUCE, FORWARD, HAMILTON  
& SCRIPPS LLP

11988 El Camino Real, Ste. 200

San Diego, California 92130

Telephone No.: (858) 720-6300

## LUCE, FORWARD, HAMILTON &amp; SCRIPPS LLP

ATTORNEYS AT LAW • FOUNDED 1873  
600 WEST BROADWAY, SUITE 2600 • SAN DIEGO, CALIFORNIA 92101-3372  
TELEPHONE 619.236.1414 • FACSIMILE 619.232.8311

## FACSIMILE DOCUMENT

DATE: January 9, 2004  
TO: Examiner Abelson  
FIRM: USPTO  
CITY, STATE: \_\_\_\_\_  
FAX TELEPHONE NO.: 703-746-7054  
CONFIRMING NO.: 703-306-5622  
FROM: Gregory P. Austin  
DIRECT DIAL: 858.720.6380 DIRECT FAX: 858.523.4334  
USER/CLIENT/MATTER: 99700 / 30287-30  
TRANSMITTING: 8 PAGES (including cover page)  
ADDITIONAL COMMENTS OR INSTRUCTIONS: Please contact me at 858-720-6380 if you need anything further. Thank you.

**PRIVILEGED AND CONFIDENTIAL** - All information transmitted hereby is intended only for the use of the addressee(s) named above. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient(s), please note that any distribution or copying of this communication is strictly prohibited. Anyone who receives this communication in error should notify us immediately by telephone and return the original message to us.

**IF YOU DO NOT RECEIVE THE ENTIRE FAX, CALL 619.235.3541  
BETWEEN THE HOURS OF 8:00 a.m. AND 6:00 p.m.  
AFTER 6:00 p.m. AND ON WEEKENDS, CALL 619.699.2478.**

TIME/DATE TRANSMITTED BY OPERATOR: January 9, 2004 at

(TO BE COMPLETED BY SENDER)

ATTORNEY: Gregory P. Austin

99700 / 30287-30

(USER/CLIENT/MATTER NUMBER)

(TO BE COMPLETED BY OPERATOR)

TIME: \_\_\_\_\_

DATE: January 9, 2004

OPERATOR: \_\_\_\_\_

FAX TELEPHONE NO.: 703-746-7054

CONFIRMING NUMBER: 703-306-5622

RECIPIENT'S NAME: Examiner Abelson

PAGES TRANSMITTED: 8

PTO/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

91

Application Number

09/393,126

Filing Date

September 10, 1999

First Named Inventor

Roberto AIELLO et al.

Art Unit

2666

Examiner Name

Abelson, R.


Attorney Docket Number

30287-30

**ENCLOSURES (Check all that apply)**

- |  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form (1 p. in dup.)      | <input type="checkbox"/> Drawing(s)   | <input type="checkbox"/> After Allowance communication to Technology Center (TC)        |
| <input checked="" type="checkbox"/> Fee Attached (Check# 146282)             | <input type="checkbox"/> Licensing-related Papers   | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences     |
| <input checked="" type="checkbox"/> Information Disclosure Statement (3 p.)  | <input type="checkbox"/> Petition   | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input checked="" type="checkbox"/> Form PTO/SB/08 (1 p. in dup.)            | <input type="checkbox"/> Petition to Convert to a Provisional Application   | <input type="checkbox"/> Proprietary Information  |
| <input checked="" type="checkbox"/> Copies of Cited Refs. (83 p.)            | <input type="checkbox"/> Power of Attorney, Revocation  | <input type="checkbox"/> Status Letter  |
| <input type="checkbox"/> Extension of Time Request                           | <input type="checkbox"/> Change of Correspondence Address   | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):         |
| <input type="checkbox"/> Fee Attached  | <input type="checkbox"/> Terminal Disclaimer  | <b>Return Receipt Postcard</b>  |
| <input type="checkbox"/> Amendment   | <input type="checkbox"/> Request for Refund   |   |
| <input type="checkbox"/> Certified Copy of Priority Document(s)              | <input type="checkbox"/> CD, Number of CD(s) _____  |   |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application    | <b>Remarks</b>  |   |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <b>The Commissioner is hereby authorized to charge any fees due in connection with this submission to Deposit Account 50-2298, in the name of Luce, Forward &amp; Scripps, LLP.</b> |   |

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Peter R. Martinez, Reg. No. 42,845
Signature	
Date	October 15, 2003

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Gregory P. Austin
-----------------------	-------------------

Signature		Date	October 15, 2003
-----------	---	------	------------------

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL  
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$180.00)**Complete if Known**

Application Number	09/393,126
Filing Date	September 10, 1999
First Named Inventor	Roberto AIELLO et al.
Examiner Name	Abelson, R.
Art Unit	2666
Attorney Docket No.	30287-30

**METHOD OF PAYMENT (check all that apply)**☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit Account Number  
50-2298Deposit Account Name  
LUCE FORWARD & SCRIPPS LLP

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
<b>SUBTOTAL (1)</b>			<b>(\$)</b>

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 86	2201 43	Independent claims in excess of 3	
1203 290	2203 145	Multiple dependent claim, if not paid	
1204 86	2204 43	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
<b>SUBTOTAL (2)</b>			<b>(\$)</b>

\*\*or number previously paid, if greater. For Reissues, see above


**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	180
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$180)**SUBMITTED BY**

Name (Print/Type)	Peter R. Martinez	Registration No. (Attorney/Agent)	42,845	Telephone	858-720-6300
Signature		Date	October 15, 2003		

(Complete if applicable)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.